

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1207 be amended to read as follows:

- 1 Page 6, between lines 18 and 19, begin a new paragraph and insert:
- 2 "SECTION 4. IC 7.1-3-1-25, AS AMENDED BY P.L.170-2002,
- 3 SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2004]: Sec. 25. (a) A city or county listed in this subsection
- 5 that by itself or in combination with any other municipal body acquires
- 6 by ownership or by lease any stadium, exhibition hall, auditorium,
- 7 theater, convention center, or civic center may permit the retail sale of
- 8 alcoholic beverages upon the premises if the governing board of the
- 9 facility first applies for and secures the necessary permits as required
- 10 by this title. The cities and counties to which this subsection applies are
- 11 as follows:
- 12 (1) A consolidated city or its county.
- 13 (2) A city of the second class.
- 14 (3) A county having a population of more than one hundred
- 15 eighty-two thousand seven hundred ninety (182,790) but less than
- 16 two hundred thousand (200,000).
- 17 (4) A county having a population of more than one hundred
- 18 seventy thousand (170,000) but less than one hundred eighty
- 19 thousand (180,000).
- 20 (5) A county having a population of more than one hundred thirty
- 21 thousand (130,000) but less than one hundred forty-five thousand
- 22 (145,000).
- 23 (6) A county having a population of more than three hundred
- 24 thousand (300,000) but less than four hundred thousand

(400,000).

(7) A city having a population of more than five thousand one hundred thirty-five (5,135) but less than five thousand two hundred (5,200).

(8) A county having a population of more than one hundred twenty thousand (120,000) but less than one hundred thirty thousand (130,000).

(9) A county having a population of more than one hundred eighty thousand (180,000) but less than one hundred eighty-two thousand seven hundred ninety (182,790).

(b) A county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000) or a township located in such a county that has established a public park with a golf course within its jurisdiction under IC 36-10-3 or IC 36-10-7 may be issued a permit for the retail sale of alcoholic beverages on the premises of any community center within the park, including a clubhouse, social center, or pavilion.

(c) A township that:

(1) is located in a county having a population of more than one hundred five thousand (105,000) but less than one hundred ten thousand (110,000); and

(2) acquires ownership of a golf course;

may permit the retail sale of alcoholic beverages upon the premises of the golf course, if the governing board of the golf course first applies for and secures the necessary permits required by this title.

(d) A township:

(1) having a population of more than thirty-five thousand (35,000) but less than one hundred thousand (100,000); and

(2) located in a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000);

may be issued a permit for the retail sale of alcoholic beverages on the premises of any community center or social center that is located within the township and operated by the township.

(e) If a township acquires a community center or social center after January 1, 2004, and before January 1, 2005, the commission may issue a permit to the township to sell alcoholic beverages for on premises consumption on the premises of the community center or social center.

(f) A city that:

(1) has a population of:

(A) more than fifty-nine thousand seven hundred (59,700) but less than sixty-five thousand (65,000); or

(B) more than forty-six thousand five hundred (46,500) but less than fifty thousand (50,000); and

(2) owns a golf course;
 may permit the retail sale of alcoholic beverages upon the premises of
 the golf course if the governing board of the golf course first applies for
 and secures the necessary permits required by this title.

~~(f)~~ (g) A city that:

(1) has a population of more than thirty-two thousand (32,000)
 but less than thirty-two thousand eight hundred (32,800); and

(2) owns or leases a marina;

may permit the retail sale of alcoholic beverages upon the premises of
 the marina, if the governing board of the marina first applies for and
 secures the necessary permits required by this title. The permit may
 include the carryout sale of alcoholic beverages in accordance with
 IC 7.1-3-4-6(c), IC 7.1-3-9-9(c), IC 7.1-3-14-4(c), and 905 IAC 1-29
 but may not include at-home delivery of alcoholic beverages.

~~(g)~~ (h) A city listed in this subsection that owns a marina may be
 issued a permit for the retail sale of alcoholic beverages on the premises
 of the marina. The permit may include the carryout sale of alcoholic
 beverages in accordance with IC 7.1-3-4-6(c), IC 7.1-3-9-9(c),
 IC 7.1-3-14-4(c), and 905 IAC 1-29 but may not include at-home
 delivery of alcoholic beverages. However, the city must apply for and
 secure the necessary permits that this title requires. This subsection
 applies to the following cities:

(1) A city having a population of more than ninety thousand
 (90,000) but less than one hundred five thousand (105,000).

(2) A city having a population of more than seventy-five thousand
 (75,000) but less than ninety thousand (90,000).

(3) A city having a population of more than thirty-two thousand
 eight hundred (32,800) but less than thirty-three thousand
 (33,000).

(4) A city having a population of more than thirty-three thousand
 (33,000) but less than thirty-six thousand (36,000).

(5) A city having a population of more than twenty-seven
 thousand (27,000) but less than twenty-seven thousand four
 hundred (27,400).

~~(h)~~ (i) Notwithstanding subsection (a), the commission may issue
 a civic center permit to a person that:

(1) by the person's self or in combination with another person is
 the proprietor, as owner or lessee, of an entertainment complex;
 or

- 1 (2) has an agreement with a person described in subdivision (1) to
- 2 act as a concessionaire for the entertainment complex for the full
- 3 period for which the permit is to be issued."

4 Renumber all SECTIONS consecutively.

(Reference is to HB 1207as printed January 27, 2004.)

Representative Pelath